

gasoline under authority of Section 5, Article 9 of the Constitution, by extending the time during which said Chapter 325, Laws 1933, shall be and remain in effect.

Be it enacted by the Legislature of the State of Minnesota:.

Section 1. Emergency act.—Laws 1933, Chapter 325, Section 3, is hereby amended so as to read as follows:

“Sec. 3. This act is hereby declared to be an emergency measure and shall be in force and effect for a period of 2 years from and after *April 20, 1935*. Every law now in force inconsistent herewith is hereby suspended for a period of 2 years from and after *April 20, 1935*.”

Approved March 11, 1935.

CHAPTER 40—H. F. No. 982

An act to amend Laws 1931, Chapter 398, as amended by Laws 1933, Chapter 332, Section 13, Subdivision (b), and Section 14, relating to armories.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Application of act.—Laws 1931, Chapter 398, as amended by Laws 1933, Chapter 332, Section 13, Subdivision (b), is hereby amended so as to read as follows:

“(b) Upon the filing with the secretary of state of a certificate by the adjutant general reciting the existence in any such municipality of the conditions specified in Section 12 of this act, naming the persons authorized to compose such commission and corporation as provided in this section, and declaring them to be constituted a commission and corporation hereunder, such persons shall forthwith become and be such commission and corporation without further proceeding. In case of a vacancy in the membership of such commission and corporation, the remaining members, provided there be not less than *two*, shall have power to act and to elect such temporary acting officers as may be necessary during the existence of the vacancy. *In case at any time there shall not be at least two qualified officers of the national guard in addition to the adjutant general eligible to serve ex officio as members of such commission as provided by subdivision (a) of this Section, the adjutant general may appoint a member or members of such commission from the colonels of the line of*

the national guard of the state' so as to provide not more than two members of such commission in addition to himself. The membership of the member last so appointed shall automatically terminate upon the appointment and qualification of an officer of the national guard eligible to serve ex officio as a member of such commission as provided by Subdivision (a) of this section, provided the total membership of such commission be not thereby reduced to less than three. All officers of the national guard eligible to be members of such commission as provided by Subdivision (a) of this section shall automatically become such members forthwith upon their appointment and qualification as such officers. In case of a vacancy in the office of adjutant general, or in case of the incapacity of the adjutant general to act as a member and chairman of such commission, the officer who is appointed or authorized according to law to exercise the powers of the adjutant general for the time being shall, during the existence of such vacancy or incapacity, act as a member and chairman of such commission and have all the powers and duties herein vested in or imposed upon the adjutant general as a member and chairman of such commission. The adjutant general shall certify to the secretary of state all changes in the membership of the commission, but failure on his part so to do shall not affect the authority of any new member of the commission or the validity of any act of the commission after the accession of a new member.

Sec. 2. Powers and duties of corporation.—Laws 1931, Chapter 398, as amended by Laws 1933, Chapter 332, Section 14, is hereby amended so as to read as follows:

“Section 14. For the purpose of constructing armories as provided in Section 12 of this act, the corporation referred to in Section 13 of this act shall have like powers and privileges and be subject to like duties and obligations as are by this act vested in or imposed upon the corporation referred to in Section 2 of this act. Every municipality in which an armory may be constructed as provided in Section 12 of this act, and every governing body of and every other governmental agency in every such municipality, shall have like powers and privileges and be subject to like duties and obligations as are by this act vested in or imposed upon the respective cities, governing bodies, and other governmental agencies referred to in Sections 1 to 11 of this act, inclusive. All the provisions of this act relating to the construction of armories in cities referred to in Section 1 of this act and to all other matters connected therewith, shall, so far as

applicable, and not otherwise provided herein, apply to the construction of armories in the municipalities referred to in Section 12 of this act and to all other matters connected therewith, and for such purposes the term "city" as used in Sections 1 to 11, inclusive, of this act shall be construed to refer to the municipalities referred to in Section 12 of this act, and the terms "commission" and "corporation" as used in Sections 1 to 11 inclusive, of this act, shall be construed to refer to the commission and corporation referred to in Section 13 of this act; provided, however, as follows:

"(a) The total cost to the corporation of each armory constructed as provided in Section 12 of this act, including the site, building, and equipment, shall not exceed \$75,000.00 for each unit of the national guard or naval militia to be quartered therein, and the total amount of bonds issued on account of each such armory shall not exceed the amount of such cost.

"(b) The adjutant general may pay under the provisions of subdivision (d) of Section 5 of this act on account of each armory constructed as provided by Section 12 of this act an amount not exceeding \$2,000.00 per year for each unit of the national guard or naval militia quartered in such armory.

"(c) The corporation created under Section 13 of this act shall never be subject to an indebtedness on account of any armory constructed as provided by Section 12 of this act in excess of the cost of such armory as provided by this section, nor to a total indebtedness in excess of the aggregate cost of all armories so constructed.

"(d) *The treasurer of the corporation created under Section 13 of this act shall give a bond to the corporation in such sum and with such surety as the corporation may determine, conditioned in like manner as the bonds of treasurers of public bodies, to be approved and filed as the corporation may determine.*

"(e) *The corporation created under Section 13 of this act may designate one or more state or national banks as depositories of its funds, and may provide, upon such conditions as the corporation may determine, that the treasurer of the corporation shall be exempt from personal liability for loss of funds deposited in any such depository due to the insolvency or other acts or omissions of such depository."*

Approved March 11, 1935.